

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RYAN-MYKAL S. BACON,

Plaintiff,

v.

JOSHUA EVANS,

Defendant.

No. 20-CV-6337 (KMK)

OPINION & ORDER

KENNETH M. KARAS, United States District Judge:

On December 1, 2021, the Court granted Defendant's Motion To Dismiss. (*See* Dkt. No. 29.) The Court dismissed Plaintiff's claims without prejudice and gave Plaintiff 30 days to file an amended complaint addressing the deficiencies identified in the Opinion & Order. (*Id.*)

To date, Plaintiff has not filed an amended complaint.

Accordingly, it is hereby:

ORDERED that Plaintiff shall show cause, by no later than February 3, 2022, as to why this case should not be dismissed for failure to prosecute. *See Armstrong v. Guccione*, 470 F.3d 89, 103 n.1 (2d Cir. 2006) (noting that "a federal district court has the inherent power to dismiss a case *sua sponte* for failure to prosecute" (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962))). The Court may dismiss this case without further notice in the event that good cause is not shown.

The Clerk of Court is directed to mail a copy of this Order to Plaintiff at the following address: 318 West Gray Street, #3, Elmira, NY 14901.

SO ORDERED.

Dated: January 20, 2022
White Plains, New York

A handwritten signature in black ink, appearing to read 'KMK', with a horizontal line extending from the end of the signature.

KENNETH M. KARAS
United States District Judge